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June 28, 2000

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

**Re: Filing of Patent Application
for SELF-ADMINISTERED BACK MASSAGE
Our File No. P-3627-2**

Dear Sir:

Enclosed for filing are the following:

1. Patent Application for SELF-ADMINISTERED BACK MASSAGE (including specification and claim);
2. Declaration, Power of Attorney and Petition;
3. Verified Statement;
4. Applicant's check in the amount of \$345;
5. Drawing; and
6. Self-addressed return post card.

Respectfully,

Myron Amer
MYRON AMER

MA/ag
Enclosures

Applicant or Patentee: MICHAEL N. BERKE Attorney's Docket No. P-3627-2
Serial or Patent No.: _____
Filed or Issued: _____
For: SELF-ADMINSTERED BACK MASSAGE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27 (b)) – INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an Independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled SELF-ADMINSTERED BACK MASSAGE described in

- (X) the specification filed herewith
() application serial No. _____, filed _____
() patent No. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an Independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e) .

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- (X) no such person, concern, or organization
() persons, concerns or organizations listed below*

* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____
ADDRESS _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NON PROFIT ORGANIZATION

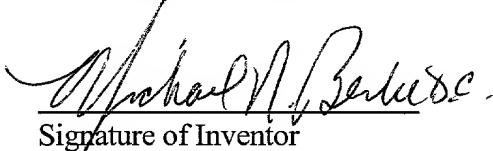
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ADDRESS _____
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FULL NAME _____
ADDRESS _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NON PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

MICHAEL N. BERKE


Signature of Inventor

6/22/00
Date

The present invention relates generally to a massaging device and, more particularly, to the use of a massaging device for the self-administration of a massage to a difficult to reach back areas.

Examples of the Prior Art

Subluxations of the vertebrae in diverse regions are known to be associated with or occur concomitantly with headaches, neck pain, neck muscle spasms, upper, mid and lower back pain to mention but a few cause and effect circumstances, and understandably has given rise to scientific chiropractic care because of the effectiveness of spinal/structural adjustments of the human body in promoting health where other methods have failed. A masseuse-administered massage is a popular practice. So also is a self-administered massage which is the particular focus of the mode of use of the massaging device of the invention.

An ability to self-administer a massage is already well known in the patented literature. It, of necessity, requires providing a support for a massaging device and thus allowing the user to make massaging contact with the supported device. Examples of supported massaging devices for self-administered massages are U.S. Patents 4,520,798 for "Self Acupressure Method" issued to Lewis on June 4, 1985 and 5,174,282 for "Massage Apparatus" issued to Bieggi on December 29, 1992, to mention but a few. In the '798 Lewis patent, the massaging device is supported on a wall by brackets interconnected between the wall and the massaging device wherein the brackets are embodied with joints providing degrees of movement to facilitate the positioning of a massaging surface relative to selected back areas of the user receiving the massage.

In the '282 Bieggi patent, the setup is greatly simplified by the suspension of the massaging device from the top edge of a door and the user undergoing body movements while pressing against the suspended massaging device.

While the simplification of the support provided by Bieggi to that of Lewis is noteworthy, it is not entirely satisfactory because the bodily movements of the user, particularly laterally of the massaging surface, urges the device in corresponding lateral movement and when this occurs there is diminished relative movement at the interface of the user's back and the massaging surface and relative movement is, of course, determinative of the effectiveness of the massage being administered.

Broadly, it is an object of the present invention to provide a supported massaging device contributing to an effective self-administered massage overcoming the foregoing and other shortcomings of the prior art.

More particularly, it is an object to operatively position a massaging device for use in an open doorway and maintain this position stationary during massaging use by using to advantage the leaning pressure applied by the user against the massaging surface, so that maximum relative movement at the critical surface interface of the user and the message-applying surface occurs, to corresponding maximize the massaging benefit, all as will be better understood as the description proceeds.

The description of the invention which follows, together with the accompanying drawings should not be construed as limiting the invention to the example shown and described, because those skilled in the art to which this invention appertains will be able to devise other forms thereof within the ambit of the appended claims.

Fig. 1 is a side elevational view of a massaging device according to the present invention in use in a doorway in its operative position on a doorway doorstop and held in place by the leaning weight of a user;

Figs. 2, 3 and 4 are views similar to Fig. 1, in which the doorway is simplified in a phantom perspective, and the figures illustrate modes of use;

Fig. 5 is a plan view in cross section taken along line 5-5 of Fig. 1 which illustrates a typical construction of a doorway and of the doorstop thereof;

Figs. 6, 7 and 8 are isolated views of the massaging device used in Figs. 1-4, in which Fig. 6 is a side elevational view, Fig. 7 is a front view and Fig. 8 a rear view; and

Fig. 9 is a partial cross sectional view projected from Fig. 5 and as seen along line 9-9 of Fig. 8.

Back massaging devices are already well known as exemplified by the prior patents previously noted and are of various constructions. However, not known and underlying the present invention, is the recognition that an open doorway 10 having a vertically oriented doorstop 12 can advantageously be used as the site 14 of the massage, and the massaging device 16 held in place on the doorstop 12 at a desired elevation 18 coinciding with the region 20 of the back of the user 22 receiving the massage and, most significant, wherein the massaging device is held in place at said elevation 18 by the force 24 applied by the leaning in the direction of the force by the user against the massaging device 16. That is, the massaging device 16 appropriately constructed as will be subsequently described to have a back-massaging function, is positioned by the user 22 reaching back and placing the device 16 in straddling relation, as at 26, again as will be subsequently explained, to the doorstop 12, and leaning against the massaging device 16. Next, bracing himself with his hands 28 against the opposite door jamb or

frame 30, as at 32, possibly even increasing the leaning force 24, the user with knee flexuring will move up and down in opposite directions 34 to correspondingly move the back region 20 being massaged up and down over the stationarily held massaging device 16 at the elevation 18, thus achieving a massaging function at the interface of the massaging device 16 and the back region 20, as at 36.

To change to a lower region for massaging, a cord 38 attached at one end 40 to the massaging device 16 is used to lower and subsequently to raise, the device 16, in the opposite directions 44, as required in the massaging routine.

For completeness sake it is noted in conjunction with Fig. 5 that typically the construction of a doorway 10 embodied with a doorstop 12 includes connected studs 46 and 48 assembled between sheet rock panels 50 and 52, and cooperating clam shell moldings 54 and 56 appropriately attached to extend forwardly of the sheet rock panels 50 and 52 for appropriate attachment on opposite sides to a doorframe member 58. Mounted vertically and centrally at the inner surface of the doorframe 58 is the doorstop 12 which typically is provided in the standard size of 1¼ inch wide and 3/8 inch thick.

As best shown in detail in Figs. 6-9, and also in Fig. 5, a preferred embodiment of the massaging device 16 is rectangular in shape, being 5 inches by 6 inches, providing a massaging function with semi-circular projections, 4 in number, individually and collectively designated 60, the centers of which are spaced 3 inches apart, as at 62, and extending forwardly of the device front surface 64. On the device rear surface 66, spaced apart walls 68 bound a recess 70 sized to straddle the 1¼ inch width of the doorstop 12 and of an appropriate depth into the thickness 72 of the device 16 which in practice provided good results at 1 inch.

The preferred construction material of the body of the massaging device 16 is plastic and includes a construction material of a hard rubber for an insert 74 with molded teeth 75 positioned and adhesively secured in place in the recess 70 which optionally can be used to hold the device 16 against sliding movement when the user's torso, as previously described, moves up and down in the opposite directions 34. Insert 74 is made with an extension 76 which has opening 78 for the attachment of the string 38.

While the apparatus for practicing the within inventive method, as well as said method herein shown and disclosed in detail is fully capable of attaining the objects and providing the advantages hereinbefore stated, it is to be understood that it is merely illustrative of the presently preferred embodiment of the invention and that no limitations are intended to the detail of construction or design herein shown other than as defined in the appended claims.

What is claimed is:

1. In a self-administered back massage applied to an individual by leaning contact against a semi-spherical configured massaging device, an improvement consisting of a method of facilitating establishing said leaning contact between said massaging device and a selected back area of said individual comprising the steps of:
 - A. using as a site for a back massage a door frame having walls bounding a doorway;
 - B. positioning said massaging device in straddling relation to a vertically oriented rectangular strip disposed along a wall of said door frame normally serving as a stop for a pivotal traverse of a door mounted in said doorway; and
 - C. instructing an individual to assume a position in said doorway in leaning engagement against said positioned massaging device;whereby bodily movements while maintaining said engagement provides a self-administered back massage.

ABSTRACT OF THE DISCLOSURE

A massaging device which is straddled over the doorstep of a door opening at an elevated location coincident with a hard-to-reach back area and held in place by the leaning weight of a user moving back and forth and up and down permitting a self-administered back massage.

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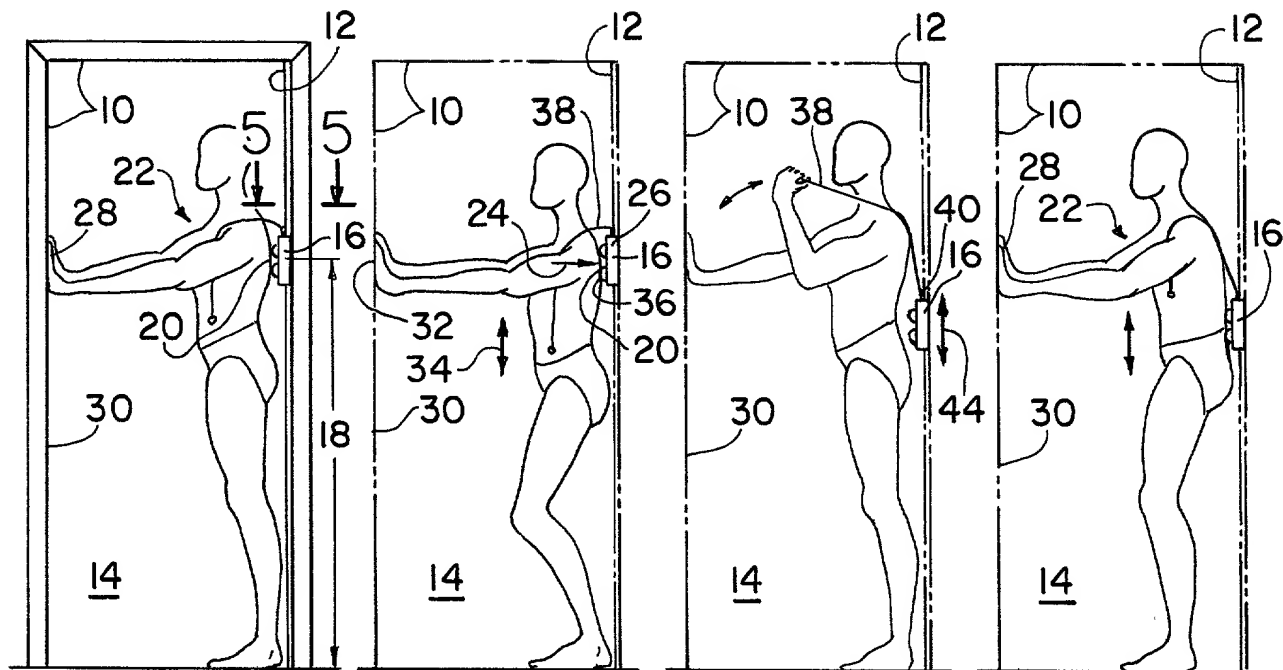


FIG.1

FIG.2

FIG.3

FIG.4

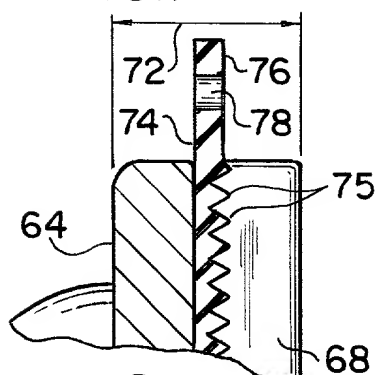


FIG.9

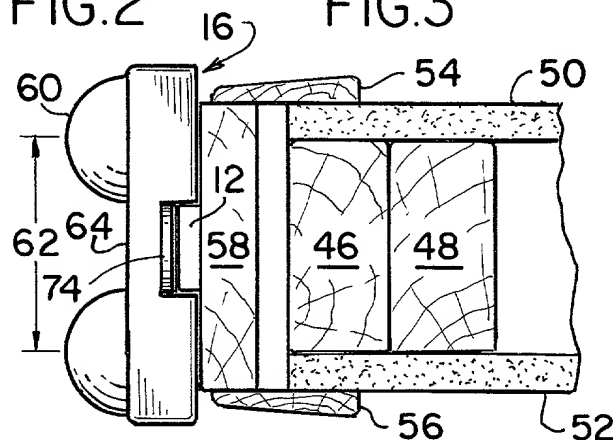


FIG.5

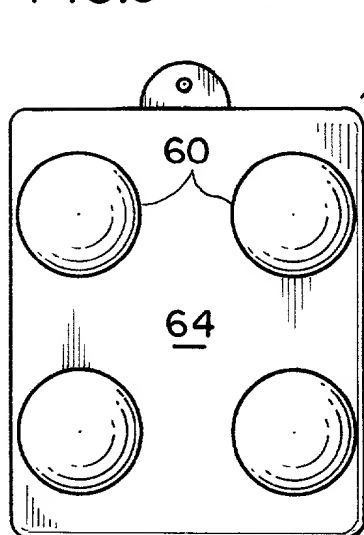


FIG.7

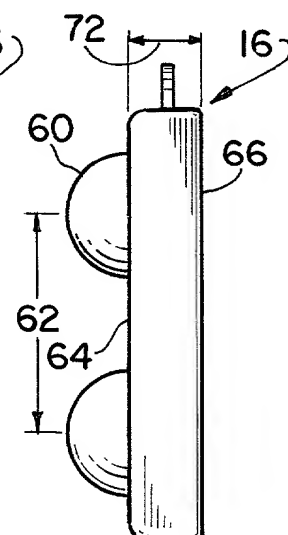


FIG.6

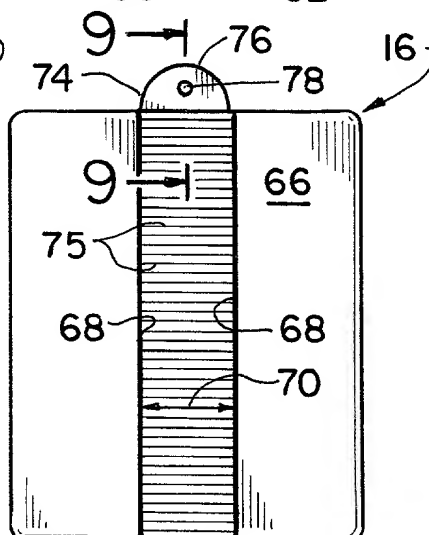


FIG.8

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DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, that I declare that I am the inventor of the invention entitled: SELF ADMINISTERED BACK MASSAGE which is described and claimed in the attached specification.

That I verify believe that I am the original, first and sole inventor of the invention described and claimed therein; and say that I have reviewed and understand the contents of the specification thereof, including the claims and drawings, that I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that said invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or any legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 CFR 1.56(a), and that no application for patent or inventor's certificate on this invention has been filed by me or my legal representatives or assigns in any country foreign to the United States of America except as follows:

And I hereby appoint MYRON AMER, Reg. No. 18,650, my attorney with full power of substitution, association and revocation, to sign the drawings, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent Office in connection therewith. Please address all correspondence to:


MYRON AMER, P.C.
114 Old Country Road
Suite 310
Mineola, NY 11501
(516) 742-5290

Whereby I pray, that Letters Patent be granted to me for the invention described and claimed in the foregoing specification and claim, and I hereby subscribe my name to the foregoing specification and claim, declaration, power of attorney and this petition.

The undersigned petitioner declares further that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

DATE: 6/22/00

SIGNED:


MICHAEL N. BERKE

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Residence:

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Carle Place, NY 11514

Citizenship: USA